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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|-----------------------|-------------------------------|------------------|
| 09/939,294 | 08/24/2001 | Yuan-pang Samuel Ding | 1417Y P 524 (NPVC-5797) | 2541 |
| 7590 07/01/2005 MARK J. BUONAIUTO, ESQ. BAXTER INTERNATIONAL INC. LAW DEPARTMENT ONE BAXTER PARKWAY, DF2-2E DEERFIELD, IL 60015 | | | EXAMINER RAYFORD, SANDRA M | |
| | | | ART UNIT 1772 | PAPER NUMBER |
| DATE MAILED: 07/01/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental
Notice of Allowability**

Application No.

09/939,294

Examiner

Sandra M. Nolan-Rayford

Applicant(s)

DING ET AL.

Art Unit

1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the faxed communication of 21 April 2005.
2. ☒ The allowed claim(s) is/are 1-3,7-34,37-85 and 91-95.
3. ☒ The drawings filed on 24 August 2001 and 21 April 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input checked="" type="checkbox"/> Other <u>See Continuation Sheet</u> . |

SUPPLEMENTAL EXAMINER'S AMENDMENT

A supplemental examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Ted Barthel (312/578.6846) on 20 April 2005.

The application has been amended as follows:

In the Specification

Pursuant to the faxed letter dated 21 April 2005, the following changes have been made in the specification:

At page 4, line 7, the following has been inserted:

-- FIG. 7 shows tensile curves for 1,2-polybutadiene and flexible PVC tubing. --

At page 17, the graph at the top of the page has been deleted.

At page 17, line 4, "FIG.-X" has been changed to -- FIG.7 --.

At page 17, line 7, "FIG.-X" has been changed to -- FIG.7 --.

In the Drawings

The following changes to the drawings have been approved by the examiner and agreed upon by applicant: FIG. 7, submitted on 21 April 2005, has been added.

The other drawings, submitted on 24 August 2001, are acceptable.

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REASONS FOR ALLOWANCE

The reasons for allowance set out in the 12 January 2005 office action are still appropriate.

Conclusion

Any inquiry concerning this communication should be addressed to Sandra M. Nolan-Rayford, at telephone number 571/272-1495. She can be reached Monday through Thursday, from 6:30 am to 4:00 pm, ET.

If attempts to reach the examiner are unsuccessful, contact her supervisor, Harold Pyon, at 571/272-1498.

The fax number for patent application documents is 703/872-9306.

S.M. Nolan-Rayford 6-29-05
S. M. Nolan-Rayford
Primary Examiner
Technology Center 1700

09939294(20050628)

**SANDRA NOLAN RAYFORD
PRIMARY EXAMINER**

FIG. 7

Tensile Curves of 1.2 Polybutadiene and Flexible PVC

